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Kinney and Lightfoot Make Accusations in Court.

The attempt to murder Sheba made ast Tuesday by T. Mori, seems to have injected into the conspiracy trial an element of bitterness which was not apparent before. The resumption yesterday morning of the trial was marked by constant bickering between the opposing attorneys, remarks and side remarks calculated to sting and rankle, and, before the session of the day ended, by venomous accusations by Kinney and Lightfoot against each other.

Lightfoot, who is an adept at getting before the jury in form other than evidence facts which have been ruled out of evidence by the judge, asked Negoro, the witness on the stand, a question concerning the papers which were stolen from his room by the teritorial authorities.

Kinney promptly went up in the air and objected vigorously to the remark made by counsel. He said that all evidence concerning the manner in which he papers referred to had been obtained had been ruled out by the judge, yet Lightfoot persisted in referring to the matter in the presence of the jury. "This," proclaimed Kinney, "is a fair sample of counsel's disposition."

Before Kinney had fairly started to speak, Lightfoot was on his feet. "Mr. Kinney," he said, "has admitted that this man's room was burglarized by the authorities and the papers stolen by

counsel for the defense," exclaimed he looks upon it as burglary. He is al-

sort of an act as the seizure by the acterize the taking of Negoro's papers

as theft,"
"I submit," retorted Lightfoot,

seized under a search warrant. Official Burglary.

"Now, it is admitted by counsel for the prosecution, that there was a burg-There is not any law in this or any civilized country that warrants any such proceeding. It is not the law, even the sign of a search warrant, can come to my house and break it open because of the suspicion that there is evidence of crime there. There is only one legal way to do it; that is by search warrant. It shows great assurance on the part of counsel to claim otherwise. Although, under the ruling of Your Honor-and I must admit that under the law it was a proper rulingthe papers have been received in evidence, that does not prove that a crime has not been committed."

Remarks Improper.

Kinney attempted to reply but was shut off by the judge, who said that he did not care to hear any more about the matter. Judge De Boit, turning to the jury, informed them that they were to disregard the matter of how the papers were obtained from Negoro. Lightfoot's reference to burglary His Honor characterized as entirely improper because the court had already barred out all evidence as to how the papers were obtained. Lightfoot, however, bad gained his point; he had sucneeded in placing the matter before

Earlier in the session Negoro called lown the wrath of the court upon his ead because he persisted in trying to cautioned about this time and again, but apparently without effect, for on every possible occasion he tries to work in what he has heard others say. He is qually skillful at trying to argue the his own attorney has frequently to remind him that he must stick to his text and not transgress the orders of

Must Fight Planters. At one time during yesterday's sesn Negoro succeeded in arousing Kiney's wrath by a statement he made on e formation of the Higher Wage As ociation, but asserted that it was his outline of a general organization of

is Young Eldg., Second Floor, of the Territory, and anybody who op Hawaii.

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poses the planters' interests must be ready to fight them in the courts." Kinney sprang to his feet. "I challenge you to name a single case where the planters have ever caused the arrest of anybody," he said.

The Judge remarked that the witness was merely giving his own ideas, and they must be accepted as such. "Well," retorted Kinney, "I'll challenge him tomorrow to name an instance where the planters have caused the arrest of anyone."

Negoro the Peaceful.

The general trend of Negoro's testimony yesterday, as on the two preced-Kinney. "His attitude here shows what | ing days, was to show that the Higher kind of a man he is. His disposition Wage Association has never counseled is such that when the law steps in and violence or intimidation, but on the intervenes to get evidence of crime, contrary has always advised the strikers to use peaceable and lawful methods ways on the side of lawlessness. He is never seen on any other side."

Kinney then went on to say that the gentle soul shudders at the bare mention seizure of Negoro's papers was the same of threats, intimidation, assaults, conspiracy and all the rest of the wrongpolice of the fa thips in a gambling doing of which he and his companions "It is simply the disorderly have been accused. It is almost surspirit of this individual [referring to prising that he did not counsel the Lightfoot] which prompts him to chard strikers to give the Chautauqua salute

whenever the planters are mentioned. Negoro blushingly admitted that he was the playwright who constructed the "that there is no law which permits the higher wage drama that was produced seizure of a man's papers without a at the Aala lane theater last winter. search warrant. There is no resem- But he hastened to allay any suspicion blance between that and the seizure of that he was trying to grab all the those che fa chips. That was done in credit by saying that he only skele New York under a law which makes it tonized the play and the actors built illegal to have gambling devices in up their own parts. But there was one's possession, and, besides, they were never any intention of inciting the Japanese to violence, never. His idea was merely to disseminate the propa-

ganda of higher wages, According to Negoro's account of the work and duties of the Higher Wage Association, they are chiefly to receive and expend money. Of course, there is that the Territory of Hawaii, without an auditor, who can look at the books if he wants to. Negoro naively added that while no account of the expenditures has ever been published, nor any ecount of the receipts of money, the society does published the names of

those who contribute rice and soy. Before court adjourned for the day, he Judge cautioned the attorneys against using personalities. If they would stick to the business in hand, he said, matters would be greatly expe dited. He added that he thought any witness of ordinary intelligence ought to know enough not to try to give hearsay evidence,

ALL CAME DOWN LIKE DAVY CROCKETT'S COON

If the defendants in the Federal court should all follow the course taken by the three who were up for trial he jury, knowing it would have its yesterday, the work of the term would effects, even though the Judge ruled it be reduced to a minimum and the judges and court officials would have a much easier time of it.

Kuriowa, who was accused of having violated the moral laws, changed his plea of not guilty to one of guilty, and his sentence was set for Friday. A second indictment against him,

Sato Ono, also accused of conduct unbecoming a lady, changed her plea to guilty and will be sentenced Au-

for violation of the Edmunds Act. switched his plea to guilty and will receive his sentence August 6.

The jurors who failed to appear in court last Monday and for whom bench warrants were issued, appeared before Judge Dole and were let off with nothing more serious than an explanation of the seriousness of their offense.

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SCHOOL REPORT SHOWS GROWTH }

Attendance Increasing Rapidly and Appropriation Is inadequate.

Governor Frear, who has of late been putting in all the time he could spare for the purpose of getting up his annual report to the Secretary of the Interior, has finished that part of it which deals with the schools of the Territory. This contains some interesting figures showing the growth of the public school system during the nine years since the organization of the territorial govern-

The report shows that the total enrollment in the public and private schools of Hawaii is now 24,889, an increase of 1444 over that of 1908. Of these, 19,507 are in the public schools. 943 more than attended last year; while \$22.90 per pupil this year against \$25.18 5382, or 501 more than in 1908, are pri- for last year. Thirteen new school

There are 493 teachers in the public for immoral purposes, will probably be than last year, and 269 in the private There are now 153 public schools in

Hawaii, one less than in 1908, and fify-six private schools, an increase of five over last year. The actual attendance in the public

schools is 91 per cent, of the total enrollment. The largest increase in all the schools, 952, is in Japanese pupils. erease of 234; then the Portuguese with 159 more than last year, and the Hawaiians with an increase of 132,

The total number of pupils has increased from 15,537 to 24,889, or 60 per cent., since the organization of the Any unusual looseness of a child's number of pupils attending the public

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55.62 per cent. has been of Japanese; 14.44 per cent. Chinese, 9.81 per cent. Portuguese, 8.15 per cent. part-Hawaian and others 11.98 per cent. Instruction in sewing was given during the past year to 7649 pupils, and n agriculture to 9309.

The cost of running the public schools for the present year is \$446,832.50, against \$467,555.05 for 1908. This is

been erected this year. charging him with harboring women schools of the Territory, seventeen more the public school system fared worst schools, or an increase of fifty one over this year, the increase of \$69,000 over of all at the hands of the Legislature the former appropriation being altogether inadequate owing to the rapid increase in the number of pupils. On account of lack of accommodations, many children of school age are unable to attend the public schools. The report states, however, that this condition is only temporary and will be remedied

NEW AUTO STAND.

Five of the best known and careful Territory in 1900. The increase in the stand of their own at the corner of King jury, in deliberating upon the case, to and Bishop streets. The new concern will be known as the Independent Auto ing to do with the trial, Stand, and will comprise the following but made the significant statement that for the employment of attorneys to de and prompt action should be taken to ber having grown from 1352 in 1900 experis: W. B. Harrub, Buick; Jim he might bring the matter properly befend the "martyrs" of the proposed avoid it. Chamberlain's Colic, Cholera to 6415 in 1909-a percentage increase Harrub, Maxwell; Jerry Rooney, Pack- fore the jury as evidence. This probssociation. Lightfoot asked him what and Diarrhoea Remedy, followed by a of 374. The Japanese now comprise and; Frank Lewis, Kissel; J. A. Me- ably means that the jury will be given was his idea in providing for the employment of attorneys.

**I have noticed,' replied Negoro, that the planters use the police power of the Territory, and anybody who of the Territory, and anybody who of the total increase for the very coupling to the property of the total increase for the very coupling to the property of the total increase for the very coupling to the property of the total increase for the very coupling to the part of the case of the prose-section. Light to describe the part of the total number of the public, but wish detailed account of the attempt to kill to have it understood that in their new venture promptness, courtesy and real and part of the jury will be given and the public purpose and part of the jury will be given and the public purpose and part of the jury will be given and the public purpose.

**Coupling to prove the public purpose and part of the jury will be given and the purpose and part of the jury will be given and the purpose and part of the jury will be given and the purpose and part of the jury will be given and part of the jury will be given and the purpose and part of the jury will be given a Of the total increase for the year, sonable prices will prevail. Tel 609. * cution.



The attempted assassination of edior Sheba is liable to play a very important part in the conspiracy trial. As was to be expected, Lightfoot, when court convened vesterday morning, asked the Judge to instruct the disregard the incident, as it had noth-